

have been by Putnam for library books, and Mr. Meredith denied it. He was required to specify the instances in detail. The latter said this was an impossible task, but the committee ruled that he must do so as far as he can. This feature will be taken up to-day, when Mr. Kennedy completes his testimony.

#### MORNING SESSION.

##### Library Officials and Book-Dealers First to Testify.

It was 10:05 o'clock when the committee was called to order, and Mr. W. C. Terrence, the bibliographer of the library, was the first witness.

He testified as to the alleged offer by some publishing house to Mr. Kennedy, making the latter to write the history of Virginia. Mr. Terrence corroborated the testimony of Messrs. Evans, Berkeley, and others, on this point, and said Mr. Kennedy had told him that he had an offer to write the proposed history of Virginia, and that it was made by a Northern concern.

Mr. F. B. Berkeley, chief of the division of traveling libraries, testified, and he said he had called attention to the overcharges on certain books bought by Mr. Kennedy, and had declined to accept it. Mr. Kennedy's request to recommend the payment of the bill in question.

Mr. C. V. Meredith, a member of the library board, and Librarian Kennedy, briefly questioned the witness when Chairman Byrd had finished with him, and Mr. Strode, of the committee, also asked him a few questions.

##### Higher Than Retail Prices.

Messrs. Berkeley and Kennedy got into a brief running colloquy as to the alleged overcharges in the bill. It was finally agreed that there were overcharges, but that Mr. Kennedy had called attention to them, and that Mr. Kennedy had satisfactorily explained the matter to the board.

Witness had discovered that Putnam was charging Mr. Kennedy more for certain books than they could be bought at retail in Richmond, and he put all the circumstances together, and concluded that there were probably overcharges on the entire bill. At this point the witness had brought in a large number of books, which he had undertaken to put out his contentions as to overcharges.

"I have here two Henry books, called 'Jack Archer,' he said. 'One was bought from Putnam at 67 cents. The other was bought from the library board at retail for 50 cents. They are identical, you will see,' he said, as he handed the books up.

Mr. Berkeley admitted that Mr. Joseph D. Eggleston, Jr., purchased one of the books. The other was in the library. He had himself purchased at 67 cents. He had himself purchased at 50 cents, which was identical, and paid 50 cents for it at the store of Hunter & Co. He said a 'Hawthorne Primer' had been put out at 75 cents, when one as good for library purposes could have been got for 40 cents. Witness thought this was paying unnecessarily high prices for these books.

"Why did you not call the attention of the board to your objections as to the prices on traveling library books?" asked Chairman Byrd. "I had objected in a former case, and my objections did not seem to amount to much, so I saw no use in renewing them."

Continuing, he criticized the \$1.87 collection, "Snow Bound," and said it was dedicated got up to be handed by children. Books could have been got for much less money for this purpose.

"Mr. Berkeley, do you mean to say that the children of this State are not entitled to illustrated books?" asked Mr. Kennedy.

##### Sharp Talk.

The Librarian and Mr. Berkeley got into another brief wrangle regarding the relative value of books, and at one time the former said sharply:

"Please answer my question, Mr. Berkeley. Don't you know that books of this class are used by parents and teachers to teach the children of this State, and not roughly handled as you say by the children?"

"No, sir; I do not agree with you at all on this point. I believe the books are used by the children," he said.

Mr. Meredith took the witness again, and he and Chairman Byrd disagreed as to the time of questioning by the attorney, but he finally proceeded and followed up the line laid down by Mr. Kennedy.

Mr. Meredith seemed to have the witness go over the entire list of 1,775 volumes and pick out every book upon which he claims there are overcharges.

"That would be no serious injustice," Mr. Chairman Byrd declared, "but dealing with some show of feeling, when Chairman Byrd rapped and said: 'One moment. Sit down, Mr. Berkeley.'"

Chairman Byrd thought this would be an impossibility, and he observed that Mr. Meredith should be fair to the witness.

"I am going to be as fair as I can," retorted Mr. Meredith, "but if these charges made here by this witness can be sustained, I want to know it. If he can't sustain them, I want to know it, but I submit that when he gets on this stand and says that there were overcharges on as many as a hundred books, he should be required to name every one of them."

Mr. Kennedy was pressing the witness to know why he had not submitted to the board the record of the charges, and price, and Chairman Byrd did not think this was a proper line. "But I want to know this point," said Mr. Kennedy.

"Oh, well, so on, but there is one thing and eternity is quite another," said Mr. Byrd.

"But we are to have all the time we want," rejoined the Librarian.

Mr. Terrence was recalled and admitted that he had not said that Mr. Kennedy had told him that a Northern house that wanted the history written.

##### Mr. Bell's Statement.

Mr. R. O. Bell, of the Bell Book and Stationery Company, was recalled and testified as to the alleged overcharges on the part of the library, and that Mr. Kennedy had called attention to them, and that Mr. Kennedy had satisfactorily explained the matter to the board.

#### No Appetite

Means loss of vitality, vigor or tone, and is often a precursor of prostrating sickness. This is why it is serious. The best thing you can do is to take the great alterative and tonic,

**Hood's Sarsaparilla**  
Which has cured thousand

#### "Berry's for Clothes."



An ounce of overcoat sense is worth a pound of medicine.

Perhaps one of our long double-breasted overcoats would have prevented all this illness and expense.

A \$20 overcoat will render you practically waterproof. And you can buy one here now for only \$12.75!

**ODD PANTS.**  
Examine yours and see if you can't use a pair at these prices:

\$2.50 for \$3.50 Pants.  
\$3.50 for \$5.00 Pants.  
\$4.75 for \$7.00 Pants.  
\$5.75 for \$8.00 and \$9.00 Pants.

**ON BERNIE CO.**  
MEN'S & BOYS' OUTFITTERS

known. Of the thousands of dollars spent by the State Library from December, 1885, to December 31, 1906, only three or four hundred were spent in the city of Richmond, and he put all the circumstances together, and concluded that there were probably overcharges on the entire bill. At this point the witness had brought in a large number of books, which he had undertaken to put out his contentions as to overcharges.

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"Mr. Berkeley, do you mean to say that the children of this State are not entitled to illustrated books?" asked Mr. Kennedy.

"No, sir; I do not mean to say so. My point is that this book is handsomely got up and was made to sell as a Christmas gift, rather than to be used in traveling libraries."

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would have been on the same footing with other competing concerns.

Asked by Mr. Byrd if he had given his real reason for not bidding was that he thought Mr. Kennedy would give him a "square deal."

"That is the way we want it answered," said Mr. Meredith.

Mr. Bell would not say this, he thought Mr. Kennedy could have made

#### KENNEDY ON WITNESS STAND; INQUIRY WILL END TO-DAY

Librarian Declares Wife Offered Him Money With Which to Write History of Virginia—Sale of Book at Advance Price Interests Committee.

It was 3:15 o'clock when the committee resumed, and Mr. R. O. Bell was again called and questioned by Mr. Kennedy.

"Have you ever had any reason to think you would not receive fair treatment at the hands of the library authorities?" he was asked.

"Yes, sir."

"What?"

"The fact that you bought the books elsewhere, and of your general attitude to the local trade."

"Don't you know that the Attorney-General has decided that the authorities may buy the books where they please?"

"That is true, I believe."

"Don't you know that we spend a great deal of money here outside of the matter of buying books?"

"I was speaking of book purchases."

"What is my attitude to the local dealers, Mr. Bell? I want that very clearly defined."

"When money became available for the purchase of books you bought them elsewhere, without giving us a chance to bid."

"I further heard Mr. Bell say that you had given orders that no books were to be bought from our house."

Mr. Kennedy and Mr. Bell crossed-fired for some time over the cost of books purchased by the former from G. P. Putnam & Sons.

Mr. Bell was cross-examined by the Librarian as to various books purchased from Putnam, and witness considerably modified his former testimony as to equality and to prices in many instances.

In short, Mr. Bell's testimony was punctured in many places, and time and again he admitted that he did not know certain "definite" facts and circumstances apparently favorable to Mr. Kennedy's position, when he testified at a former meeting of the committee.

Witness repeated, in answer to a question by Mr. Meredith, that the reason he did not bid was because he did not think he would get a "square deal."

"I tried to get Mr. Kennedy to allow us to bid, because I thought we should have a show," said Mr. Bell. "I finally did not bid because of this investigation, and because of extraordinary conditions."

"Now, Mr. Bell, didn't you decline to bid," asked Mr. Meredith, "because you felt that you could not meet the prices?"

"No, sir; that was not the reason. I have given the reasons fully."

Mr. Meredith tried hard to make Mr. Bell admit that he had done Mr. Kennedy an injustice, but he would not make the admission.

"Don't you know you done him an injustice?" asked the lawyer persistently.

"No, sir; I won't say that," was the reply.

##### Kennedy on Stand.

It was 4:20 P. M. when Mr. Kennedy took the chair. He was questioned by Mr. Byrd.

"Mr. Kennedy, Mr. Bell has testified that you had given orders that no more books should be bought from him. Did you give such an order?"

"No, sir; no such order is in force in the State Library."

"Did you say to Mr. Evans or Mrs. Minor that, pending this inquiry, you wanted no more books bought in Richmond?"

"I made no statement on this line."

"You took, I believe, a good deal of interest in securing these traveling libraries, did you not?"

"Yes, sir."

"Your report on the subject you say that you had about thirty applications for these libraries; were they on file at the time in your office?"

"I cannot say all the papers were actually on file. There were certainly many inquiries, and many statements."

"Here is the file, Mr. Kennedy, and there does not appear to be a single application on it."

"I am sure we had correspondence from those people, and it was considered that they were applications."

##### As to Jurisdiction.

"The only point is that there were no applications on file," said Mr. Byrd, "when you were fighting for the appropriation."

"If the correspondence is in the Library I can produce it."

Here Mr. Meredith wished Mr. Kennedy to have five minutes in which to get the papers.

Mr. Strode inquired if this matter referred to the subject of school-traveling libraries in any way, and Mr. Kennedy replied in the negative.

Mr. Strode then said he would have to except for the reason that these questions were not within the scope of this inquiry. He thought if anybody went into this branch, it should be the Librarian.

Chairman Byrd dissented from this view, and he was supported by Mr. Cox, and Mr. Kennedy was directed to proceed.

The chairman and Mr. Cox held that Mr. Kennedy had gone into these matters on his statement in chief, and that clearly opened the way for cross-examination upon them.

"Now Mr. Kennedy," said Mr. Byrd, "if what report which you submitted on this subject represents the true situation, I only ask you to produce those letters."

"I shall have to put my stenographer to work searching for these letters,"

his house "live hard" if he had got the contract.

Finally, however, when further pressed by Mr. Byrd on the "square deal" issue, witness said the chairman had put it that way if he liked, and Mr. Byrd said he had no more direct or expressive terms.

At 1:30 P. M. the committee took a recess of an hour.

Among some 20,000 others," said the Librarian.

As to History.

Mr. Byrd now fired question after question upon Mr. Kennedy, and created laughter by asking if he had filled his "verbal conversations" with gentlemen who had talked with him about traveling libraries. In view of the fact that there were no written applications on the file.

"You can see what the situation is," Mr. Byrd, Mr. Kennedy was saying.

"Oh, yes, I do; I thoroughly understand your position."

"Mr. Kennedy, did you ever purchase a Burke's History of Virginia from a man named Birsong?"

"I think so, sir."

"And you sold it for an advanced price?"

"Possibly so. I had a right to do so. It was a private matter."

"Did you ask the permission of the board to conduct that sort of general merchandise business?"

"I did not. It was my private affair."

"If you sold that book to Dr. Dunbar Rowland, Jackson, Miss., for \$20, is that true?"

"Yes, sir."

Here the chairman read the following correspondence on the subject:

Raleigh, N. C., January 4, 1904.

Dear Sir:—On December 11th last, pursuant to telegraphic order, I forwarded to you by express, four volumes of Burke's History of Virginia (\$10). Thinking, perhaps, the matter has been overlooked, I write to respectfully ask that the amount be remitted by return mail, and oblige,

Yours very truly,  
(Signed) J. P. BIRSONG,  
215 E. Hargett Street,  
Raleigh, N. C.

The State Librarian, Richmond, Va.

(Copy)

Raleigh, N. C., January 13, 1904.

My Dear Sir:—Having per your telegram of December 11th, I have forwarded by express some date Burke's History of Virginia to the State Librarian of Virginia, and having enclosed bill for same twice, and not having heard from you, I again enclose bill, and respectfully ask that the amount be attached to at once. If not convenient just now, please inform me when I may expect. A prompt reply solicited.

Yours very truly,  
(Signed) J. P. BIRSONG,  
215 E. Hargett Street,  
State Librarian, Richmond, Va.

(Copy)

January 15, 1904.

Mr. J. C. Birsong, 215 E. Hargett Street, Raleigh, N. C.

Dear Sir:—We have a fake in the neighborhood of thirty days to settle our accounts, and you will receive in a short while now the \$10 due you for Burke's History of Virginia. We trust this is satisfactory to you, otherwise we cannot do any further business with your firm. A great number of accounts always have to settle require a certain amount of time to get our vouchers in shape and which, of course, you will appreciate.

Very respectfully,  
K. A. J. P. KENNEDY,  
Librarian.

(Copy)

January 29, 1904.

Professor Dunbar Rowland, Jackson, Miss.

Dear Sir:—We have retained a tracer for the shipment of the Burke's History of Virginia, which was shipped from this point on December 11th. The express company advises us that they will see at once who signed for the books, and we will notify you at that time.

Very respectfully,  
J. P. KENNEDY,  
Librarian.

(Copy)

February 4, 1904.

Mr. Dunbar Rowland, Jackson, Miss.

Dear Sir:—Enclosed herewith please find Adams Express Company card, stating that the books were refused. I am sure this matter has not been brought to your attention, otherwise the delay would have been avoided. I beg to remain,

Very respectfully,  
J. P. KENNEDY,  
Librarian.

(Copy)

March 2, 1904.

Mr. J. C. Birsong, Raleigh, N. C.

Dear Sir:—Enclosed herewith find post-office money order for \$10, in payment of enclosed bill of \$10 for Burke's History of Virginia.

Very respectfully,  
J. P. KENNEDY,  
Librarian.

(Copy)

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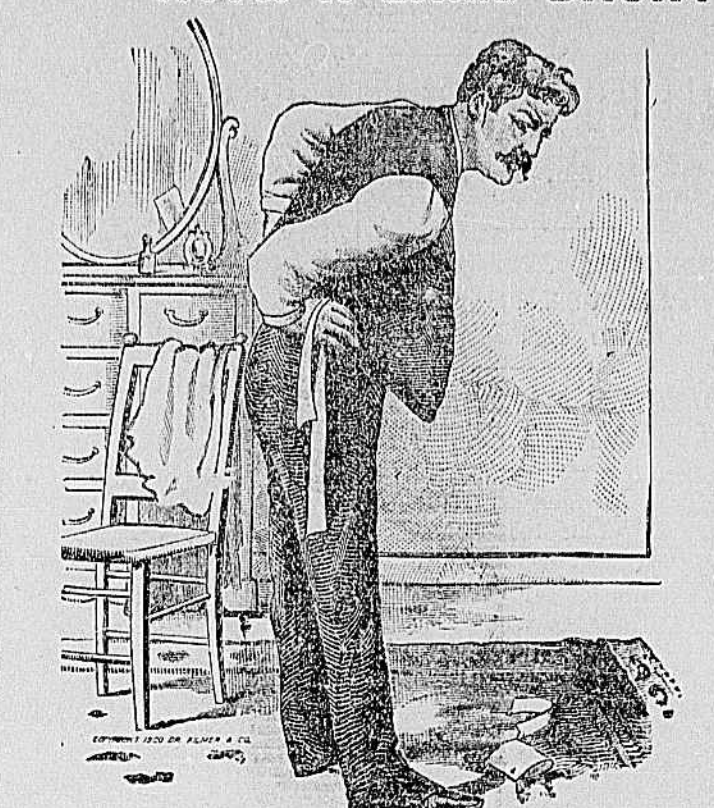
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(Copy)

## DO YOU GET UP WITH A LAME BACK?



### Have You Rheumatism, Kidney, Liver or Bladder Trouble?

To Prove What Swamp-Root, the Great Kidney, Liver and Bladder Remedy, will do for YOU, all our Readers May Have a Sample Bottle Sent Free by Mail.

Pain or dull ache in the back is unmistakable evidence of kidney trouble. It is Nature's timely warning to show you that the track of health is not clear.

If these danger signals are unheeded, more serious results are often sure to follow: Bright's disease, which is the worst form of kidney trouble, may steal upon you.

The mild and immediate effect of Swamp-Root, the great kidney and bladder remedy, is soon realized. It stands the highest, because its remarkable curative power has been proven in thousands of the most distressing cases.

If you need a medicine, you should have the best. A thorough trial will convince any one.

LAME BACK.

Lame back is only one of many symptoms of kidney trouble. Other symptoms showing that you need Swamp-Root are: being obliged to pass water often during the day and to get up many times during the night, inability to hold your urine, smarting or irritation in passing, brick-

EDITORIAL NOTE.—In order to prove the wonderful merits of Swamp-Root, you may have a sample bottle and a book of valuable information, both sent absolutely free by mail. The book contains many of the thousands upon thousands of testimonial letters received from men and women who found Swamp-Root to be just the remedy they needed. The value and success of Swamp-Root are so well known that our readers are advised to send for a sample bottle. In sending your address to Dr. Kilmer & Co., Binghamton, N. Y., be sure to say you read this generous offer in the Richmond Daily Times-Dispatch. The genuineness of this offer is guaranteed.

has means, and gave me a check for \$500. I deposited this to my credit in the National Bank of Virginia, and used it with her consent for other purposes.

"I had wanted to write a history of Virginia for some time, but did not have the means. I have not yet decided not to write the book. I may do it later on."

"When your wife offered you this \$500, did you positively refuse to write the history?"

"I stated that in all probability I would not write it."

"Did you ever approach any publishers with reference to the publication of this history?"

"I talked with